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RICHARD R. MYBECK
P.O. BOX 5540
SCOTTSDALE AZ 85261-5540

MAILED

OCT 21 2010

OFFICE OF PETITIONS

In re Patent No. 5,490,924 :
Issue Date: February 13, 1996 :
Application No. 08/277,619 : REQUEST FOR INFORMATION
Filed: July 20, 1994 :
Attorney Docket No. 4847 :
:

This request for information is mailed in response to the petition under 37 CFR 1.378(b), filed July 30, 2010 and supplemented on August 13, 2010 (certificate of mailing date August 10, 2010), to accept the delayed payment of a maintenance fee for the above-identified patent.

Please respond within TWO (2) MONTHS from the mail date of this request for information. No extension of this two-month time limit can be granted under 37 CFR 1.136(a) or (b). This is **not** a final agency action within the meaning of 5 U.S.C. § 704.

The merits of this petition will not be addressed because the person signing the petition has not established his authority to file the petition. As stated in MPEP 2590, "If the petition is signed by a person not registered to practice before the Office, the petition must indicate that the person signing the petition is the patentee, assignee, or other party in interest. An assignee must comply with the requirements of 37 CFR 3.73(b) which is discussed in MPEP § 324." (emphasis added) Pursuant to 37 CFR 3.73(b), a party must be established as the assignee by satisfying the requirements of that subsection, in order to be recognized as an owner or part owner, for purposes of taking action in patent matters before the Office

Petitioner has not complied with the requirements of 37 CFR 3.73(b). For petitioner's convenience a form "STATEMENT UNDER 37 CFR 3.73(b)" is enclosed. Please complete and file the form.

In addition, the request for change of correspondence address embedded within the July 30, 2010 correspondence will not be entered because petitioner has not complied with 37 CFR 3.73(b). It appears that petitioner and his attorney have parted ways. Therefore, when petitioner submits a statement under 37 CFR 3.73(b), petitioner should complete and submit the enclosed form "PATENT – POWER OF ATTORNEY OR REVOCATION OF POWER OF ATTORNEY WITH A NEW POWER OF ATTORNEY AND CHANGE OF CORRESPONDENCE

ADDRESS." By completing and filing this form, petitioner will update the Office as to individuals empowered to take action in this patent, as well as provide a current correspondence address for patent matters.

A courtesy copy of this decision is being mailed to the address on the petition. However, the Office will mail all future correspondence solely to the address of record.

Further correspondence with respect to this matter should be delivered through one of the following mediums:

By mail: Mail Stop PETITIONS
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By hand: Customer Service Window
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By fax: (571) 273-8300
ATTN: Office of Petitions

By internet: EFS-Web
www.uspto.gov/ebc/efs_help.html
(for help using EFS-Web call the
Patent Electronic Business Center
at (866) 217-9197)

Telephone inquiries should be directed to the undersigned at (571) 272-3230.

Shirene Willis Brantley
Shirene Willis Brantley
Senior Petitions Attorney
Office of Petitions

ENCLOSURES: STATEMENT UNDER 37 CFR 3.73(b)

PATENT – POWER OF ATTORNEY OR REVOCATION OF POWER
OF ATTORNEY WITH A NEW POWER OF ATTORNEY AND
CHANGE OF CORRESPONDENCE ADDRESS

PRIVACY ACT STATEMENT

CC: NARCISO F. MACIA
CONTROL SYSTEMS INNOVATION, INC.
P.O. BOX 1908
19225 S. SOSSAMAN RD.
QUEEN CREEK AZ 85142